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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/635,611

08/07/2003

Yoshihito Asao

Q76555

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23373

7590

01/27/2005

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EXAMINER

PHAM, LEDA T

ART UNIT

PAPER NUMBER

2834

DATE MAILED: 01/27/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/635,611

Applicant(s)

ASAO ET AL.

Examiner

Leda T. Pham

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8m

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 December 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) 3-10 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1 and 2 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 07 August 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 8/7/03.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Election/Restrictions

Applicant's election without traverse of group I, claims 1 - 2 in Paper filed on 12/23/04 is acknowledged.

Since Applicant did not provide any traversal arguments to the restriction requirement, the response is considered as election without traverse; therefore, the election/restriction is made FINAL.

Claim Objections

1. Claim 2 is objected to because of the following informalities: "the abutting surfaces" lacks of antecedent basis. Appropriate correction is required.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1 -2 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rich (U.S. Patent No. 4,102,040) in view of Huang et al. (U.S. Patent No. 5,382,859).

Referring to claim 1, Rich teaches a stator comprising:

a cylindrical core (figure 8);

a slots (3) that is provided around an inner circumferential face of the cylindrical core (figure 8) and including an opening portion (the space between the adjacent tooth tips); and

a coil disposed in the slots (inherently, coils are wound around teeth 2),

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wherein a portion with a lower radial crushing strength is provided in at least apart of the iron core in a circumferential direction (lines 47 – 52, column 9). However, Rich fails to teach the cylindrical core is iron core.

Huang teaches a stator having a cylindrical iron core for reducing the eddy current losses in the electric motor.

Thus, it would have been obvious to one having skill in the art at the time the invention was made to modify the stator with a cylindrical iron core as taught by Huang. Doing so would reduce the eddy current losses in an electric motor. Also, it has been held to be within the general skill of a worker in the art to select a known material in the basis of its suitability for the intended use as a matter of obvious design choice. *In re Leshin 125 USPQ 416.*

Referring to claim 2, the combination of Rich and Huang teaches the stator wherein the stator is produced by disposing the coil (92, in Huang reference) in a strip iron core (20) provided with the slots (26) including an opening portion (tooth tips), and forming the iron core in the shape of an annulus ring (figure 8 of Rich reference), in which the abutting surfaces of the iron core are partially welded (lines 47 – 52, column 9).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Leda T. Pham whose telephone number is (571) 272-2032. The examiner can normally be reached on M-F (8:30-6:00) first Friday Off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Darren Schuberg can be reached on (571) 272-2044. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Leda T. Pham
Examiner
Art Unit 2834

LTP
January 19, 2005


DARREN SCHUBERG
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2800